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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,451	11/14/2006	Jim Craigie	540546-0325858 (HL-104)	1201
36183 7590 01/06/2010 PAUL, HASTINGS, JANOFSKY & WALKER LLP 875 15th Street, NW Washington, DC 20005			EXAMINER WRIGHT, BRYAN F	
			ART UNIT 2431	PAPER NUMBER
			MAIL DATE 01/06/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,451	Applicant(s) CRAIGIE, JIM	
	Examiner BRYAN WRIGHT	Art Unit 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Amendment filed 9/11/2009. Claims 1-16 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Lakhdar et al. (WO 01/37496 cited from IDS).

3. As to claim 1, Lakhdar teaches a method of applying a sender-specific mail policy, the method comprising:

maintaining a list of computer system users and associated sender-specific mail policies (i.e., ..teaches maintaining a databases with user email and associated policy information [pg. 9, lines 19-25]);

receiving a mail message intended for further transmission (i.e., ...teaches processing a message intended to circulate through a network [pg. 8, lines 1-15]), the mail message indicating a sender thereof (i.e., ...teaches message containing an address [pg. 13, lines 25-30]);

determining whether said mail message contains a digital signature (i.e., ...teaches determining if a signature is present [pg. 9, lines 25-30]);

attempting to verify the digital signature in said mail message (i.e., ... teaches authenticating the signature [pg. 10, lines 4-7]),

if the mail message does contain a verified digital signature (i.e., ..teaches signature being present to authenticate [pg. 10, lines 4-7]), and if a user corresponding to the verified digital signature corresponds to the sender indicated in the mail message (i.e., ..teaches a signature corresponding to a sender [pg. 10, lines 1-10]), applying an associated sender-specific mail policy to said mail message (i.e., ...teaches a policy manager for determining what policy it apply [pg. 11, lines 25-30]);

and if the mail message does not contain a digital signature, or does not contain a verified digital signature corresponding to the sender indicated in the mail message (i.e.,...teaches if a signature is not present, automatically signing the message [pg. 9, lines 1-5]), applying a default mail policy to said mail message (i.e., ...teaches the ability to apply a default policy [pg. 9, lines 25-30]).

4. As to claim 2,.Lakhdar teaches a method where the step of applying a sender-specific mail policy to said mail message comprises determining whether the mail message complies with said policy (i.e., ...teaches a policy manager for determining what policy it apply [pg. 11, lines 25-30]); if the mail message does comply with said policy (i.e.,...teaches the use of a security policy used to determine how to handle the

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message [pg. 13, lines 25-30]), allowing transmission of said message (i.e., .. teaches allowing the message to be transmitted [pg. 15, lines 5-10]);

if the mail message does not comply with said policy, applying appropriate measures to said message (i.e., ...teaches if the message is not in compliance with signature policy, applying a default policy [pg. 9, lines 25-30]).

5. As to claim 3, Lakhdar teaches a method where the step of applying a default mail policy to said mail message comprises determining whether the mail message complies with said policy (i.e., ...teaches applying a default policy [pg. 9, lines 25-30]);

if the mail message does comply with said policy, allowing transmission of said message; and if the mail message does not comply with said policy, applying appropriate measures to said message.

6. As to claim 4, Lakhdar teaches a method where said default mail policy is triggered by more criteria than said sender-specific mail policy (i.e., .. triggering default policy [pg. 9, lines 25-30]).

7. As to claim 6, Lakhdar teaches a method comprising receiving the mail message in a boundary agent, the mail message being intended for further transmission over an external computer network [fig. 1].

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8. As to claim 7, Lakhdar teaches a computer program product, comprising code (e.g., portable code) for performing the method as claimed in claim 1 [pg. 7, lines 25-30].

9. As to claim 8, Lakhdar teaches a method of applying a sender-specific mail policy, for use in a boundary agent of a first computer network, the method comprising:

(a) maintaining a list of users of said first computer network and sender-specific mail policies associated with said users (i.e., ..teaches maintaining a databases with user email and associated policy information [pg. 9, lines 19-25]),

(b) receiving from a user of said first computer network a mail message intended for further transmission over a second computer network (i.e., ...teaches processing a message intended to circulate through a network [pg. 8, lines 1-15]), the mail message indicating a sender thereof (i.e., ...teaches message containing an address [pg. 13, lines 25-30]);

(c i) determining whether said mail message contains a digital signature (i.e., ...teaches determining if a signature is present [pg. 9, lines 25-30]), and, if so (c2) attempting to verify the digital signature (i.e., ..teaches signature being present to authenticate [pg. 10, lines 4-7]);

and (d) if the mail message does contain a verified digital signature (i.e., ..teaches signature being present to authenticate [pg. 10, lines 4-7]), and if a user corresponding to the verified digital signature corresponds to the sender indicated in the mail message (i.e., ..teaches a signature corresponding to a sender [pg. 10, lines 1-10]),

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applying to said mail message a sender-specific mail policy associated with said user (i.e., ...teaches a policy manager for determining what policy it apply [pg. 11, lines 25-30]).

10. As to claim 9, Lakhdar teaches a method further comprising: if the mail message does not contain a digital signature, or does not contain a verified digital signature corresponding to the sender indicated in the mail message (i.e.,...teaches if a signature is not present, automatically signing the message [pg. 9, lines 1-5]), applying a default mail policy to said mail message (i.e., ...teaches the ability to apply a default policy [pg. 9, lines 25-30]).

11. As to claims 10 and 16,.Lakhdar teaches a local computer network, comprising: a plurality of user computers [fig.. 1]; and a mail server [fig.,1]; and having a connection to a second computer network [fig. 1], such that outgoing mail messages can be sent from the user computers to destination computers connected to the second computer network [fig. 1], and such that incoming mail messages can be sent to the user computers from transmitting computers connected to the second computer network, wherein the mail server maintains a list of users of said user computers and associated sender-specific mail policies (i.e., ..teaches maintaining a databases with user email and associated policy information [pg. 9, lines 19-25]);

wherein, when said mail server receives an outgoing mail message [pg. 8, lines 5-15], said outgoing mail message indicating a sender thereof, said mail server

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determines whether said outgoing message contains a digital signature and (i.e., ...teaches determining if a signature is present [pg. 9, lines 25-30]), if so, attempts to verify a digital signature in said outgoing mail message (i.e., ..teaches signature being present to authenticate [pg. 10, lines 4-7]);

and if the outgoing mail message does contain a verified digital signature, and if a user corresponding to the verified digital signature corresponds to the sender indicated in the outgoing mail message (i.e.,...teaches if a signature is not present, automatically signing the message [pg. 9, lines 1-5]), said mail server applies an associated sender-specific mail policy to said outgoing mail message (i.e., . teaches the policy is specific to sender [pg. 11, lines 25-30]).

12. As to claim 11, Lakhdar teaches a local computer network as claimed in claim 10, wherein, if the outgoing mail message does not contain a digital signature, or does not contain a verified digital signature corresponding to the sender indicated in the outgoing mail message (i.e., ..teaches signature being present to authenticate [pg. 10, lines 4-7]), said mail server applies a default mail policy to said outgoing mail message (i.e., .. triggering a default policy [pg. 9, lines 25-30]).

13. As to claim 12,.Lakhdar teaches a local computer network where when said mail server determines whether the outgoing mail message complies with said sender-specific mail policy: if the outgoing mail message does comply with said sender-specific mail policy (i.e., ...teaches determining if a signature is present [pg. 9, lines 25-30]),

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said mail server allows transmission of said outgoing mail message (i.e., .. teaches allowing the message to transmitted [pg. 15, lines 5-10]);

and if the outgoing mail message does not comply with said sender-specific mail policy, said mail server applies appropriate measures to said outgoing mail message (i.e., .. triggering a default policy [pg. 9, lines 25-30]).

14. As to claim 13, Lakhdar teaches a local computer network as claimed in claim 10, wherein, when said mail server determines whether the outgoing mail message complies with said default mail policy [fig. 6]: if the outgoing mail message does comply with said default policy, said mail server allows transmission of said outgoing mail message (i.e., .. teaches allowing the message to transmitted [pg. 15, lines 5-10]); and if the outgoing mail message does not comply with said default policy, said mail server applies appropriate measures to said outgoing mail message (i.e., ...teaches making determination based on policy requirements [pg. 11, lines 25-30]).

15. As to claim 14, Lakhdar teaches a local computer network where said default mail policy is triggered by more criteria than said sender-specific mail policy (i.e., .. triggering default policy [pg. 9, lines 25-30]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lakhdar in view of Fu et al. (US Patent Publication No. 2004/0111519 and Fu hereinafter).

17. As for claims 5 and 15, although the teachings of Lakhdar discloses features of the claimed invention as illustrated above, Lakhdar does not disclose:

A method where the step of applying a default mail policy to said mail message comprises rejecting said mail message (claim 5).

A local computer network where said default mail policy is to reject said outgoing mail message (claim 15).

However, the feature of rejecting a message based on a policy condition was well known at the time of applicant's original filing and would have been an obvious modification of the Lakhdar teachings as introduced by Fu. Fu discloses:

A method where the step of applying a default mail policy to said mail message comprises rejecting said mail message (to provide outgoing message (e.g., packet) rejection capability [par. 86]) (claim 5).

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A local computer network where said default mail policy is to reject said outgoing mail message (to provide outgoing message (e.g., packet) rejection capability [par. 86]) (claim 15).

Therefore, given Lakhdar's ability to apply a policy to an outgoing mail message, a person having ordinary skill in the art would have recognize the desire and advantage of modifying the teachings of Lakhdar to enhance message transmission security with the well known feature of applying a policy that will reject a message as disclosed by Fu above.

Response to Arguments

Applicant's arguments, filed 9/11/2009, with respect to the rejection(s) of claim(s) 1-16 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lakhdar.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN WRIGHT whose telephone number is (571)270-3826. The examiner can normally be reached on 8:30 am - 5:30 pm Monday -Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRYAN WRIGHT/
Examiner, Art Unit 2431

/William R. Korzuch/
Supervisory Patent Examiner, Art Unit 2431